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John S. Pratt
KILPATRICK STOCKTON LLP
1100 Peachtree Street
Atlanta, GA 30309

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OFFICE OF PETITIONS

In re Application of :
LARSEN, James Wagner :
Application No.: 10/827,089 :
Filing Date: April 19, 2004 :
Docket No.: 14088/299978 :
For: SYSTEMS AND METHODS :
USEFUL FOR DETECTING :
PRESENCE AND/OR LOCATION :
OF VARIOUS METALS :

DECISION

ON PETITION UNDER

37 CFR 1.137(b)

This is a decision on the petition to revive under 37 CFR 1.137(b) filed on April 25, 2005. The petition under 1.137(b) is hereby **GRANTED**.

The above-identified application became abandoned for failure to file a timely reply to a non-final Office Action mailed October 20, 2004. This Notice set a three (3) month period for reply, with extensions of time obtainable under 37 CFR 1.136(a). The time period to respond expired at midnight on January 20, 2005.

Petitioners have met the requirements for revival under 37 CFR 1.137(b). Petitioner submitted amended claims, replacement drawings, the petition fee and made the required statement of unintentional delay. No terminal disclaimer is required. Accordingly, all requirements of 37 CFR 1.137(b) have been satisfied.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Since the extension of time submitted with the petition was subsequent to the maximum period obtainable for reply, this fee is unnecessary and will be refunded to the applicant.

This application is being forwarded to Tech Center AU 2863 for continued processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Brian Hearn
Petitions Examiner
Office of Petitions

Tel: 571-272-3302